

**REMARKS**

Claims 1-4, 7-11 and 14 were examined and reported in the Office Action. Claims 1-4, 7-11 and 14 are rejected. Claims 2, 7 and 14 are canceled. Claims 1, 3-4 and 8-11 are amended. Claims 1, 3-4 and 8-11 remain.

Applicant requests reconsideration of the application in view of the following remarks.

**I. Claim Objections**

It is asserted in the Office Action that claim 7 is objected to for depending on a canceled claim. Claim 7 is canceled. Therefore, the informal claim objection is moot.

**II. 35 U.S.C. §112, Second Paragraph**

A. It is asserted in the Office Action that claims 1-4, 7-11 and 14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 2, 7 and 14 are canceled. Claims 1, 3-4 and 8-11 are amended to overcome the 35 U.S.C. §112, second paragraph rejections.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejections for claims 1-4, 7-11 and 14 are respectfully requested.

B. It is asserted in the Office Action that claims 1, 7-8 and 14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 7 and 14 are canceled. Claims 1 and 8 are amended to overcome the 35 U.S.C. §112, second paragraph rejections.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejections for claims 1, 7-8 and 14 are respectfully requested.

C. It is asserted in the Office Action that claims 1 and 8 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which Applicant regards as the invention. Claims 1 and 8 are amended to overcome the 35 U.S.C. §112, second paragraph rejections. In particular, Applicant notes that the host controller driver operates to cause the plurality of queue heads to be directly coupled to the frame list before coupling any split-isochronous transaction descriptors to the plurality of queue heads.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejections for claims 1 and 8 are respectfully requested.

**D.** It is asserted in the Office Action that claims 3-4 and 10-11 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 3-4 and 10-11 are amended to overcome the 35 U.S.C. §112, second paragraph rejections.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejections for claims 3-4 and 10-11 are respectfully requested.

### **III. 35 U.S.C. § 102(b)**

It is asserted in the Office Action that claims 1-4 and 7 are rejected under 35 U.S.C. § 102(b), as being anticipated by U. S. Patent No. 6,061,687 issued to Wooten ("Wooten"). Applicant's claims 2 and 7 are canceled. Applicant respectfully traverses the aforementioned rejections for claims 1 and 3-4 for the following reasons.

According to MPEP §2131,

'[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, *i.e.*, identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant's amended claim 1 contains the limitations of

a universal serial bus (USB) 2.0 or higher host controller, the host controller operates to couple a plurality of queue heads to a frame list, and a host controller driver, wherein the host controller driver operates to cause the plurality of queue heads to be directly coupled to the frame list before coupling any split-isochronous transaction descriptors to the plurality of queue heads, and split-isochronous transaction descriptors are supported by the host controller and the host controller driver.

Applicant's claimed invention modifies the host controller driver to "rearrange" the framelist order. This, Applicant's claimed invention can avoid period promotion and use less bandwidth.

Wooten discloses a computer system that includes a serial bus controller and host controller driver. Wooten does not teach, disclose or suggest the disclosed host controller or driver supports USB 2.0 split-isochronous transaction descriptors. Moreover, as Wooten was filed in 1998 and is a continuation of a provisional application filed in 1995, split-isochronous transaction descriptors were not known as USB 2.0 was defined after the filings of Wooten.

Further, Wooten does not teach, disclose or suggest

a universal serial bus (USB) 2.0 or higher host controller, the host controller operates to couple a plurality of queue heads to a frame list, and a host controller driver, wherein the host controller driver operates to cause the plurality of queue heads to be directly coupled to the frame list before coupling any split-isochronous transaction descriptors to the plurality of queue heads, and split-isochronous transaction descriptors are supported by the host controller and the host controller driver.

Therefore, since Wooten does not disclose, teach or suggest all of Applicant's amended claim 1 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(b) has not been adequately set forth relative to Wooten. Thus, Applicant's amended claim 1 is not anticipated by Wooten. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 3 and 4, are also not anticipated by Wooten for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejections for claims 1-4 and 7 are respectfully requested.

**IV. 35 U.S.C. §103**

It is asserted in the Office Action that claims 8-11 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 6,061,687 issued to Wooten ("Wooten"). Applicant has canceled claim 14. Applicant respectfully traverses the aforementioned rejection for claims 8-11 for the following reasons.

According to MPEP §2142

[t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." (In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Further, according to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974))." *"All words in a claim must be considered* in judging the patentability of that claim against the prior art." (In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), emphasis added.)

Applicant's amended claim 8 contains the limitations of

a first universal serial bus (USB) 2.0 or higher host controller and a second USB host controller, said first host controller operates to couple a plurality of queue heads to a frame list, and a device coupled to said first and second host controllers, a first host controller driver associated with said first host controller, wherein the first host controller driver operates to cause the plurality of queue heads to be directly coupled to the frame list before coupling any split-isochronous transaction descriptors to the

plurality of queue heads, and split-isochronous transaction descriptors are supported by the first host controller and the first host controller driver.

As asserted above, Wooten does not teach, disclose or suggest the disclosed host controller or driver supports USB 2.0 split-isochronous transaction descriptors. Moreover, Wooten does not teach, disclose or suggest Applicant's claim 8 limitations of

a first universal serial bus (USB) 2.0 or higher host controller and a second USB host controller, said first host controller operates to couple a plurality of queue heads to a frame list, and a device coupled to said first and second host controllers, a first host controller driver associated with said first host controller, wherein the first host controller driver operates to cause the plurality of queue heads to be directly coupled to the frame list before coupling any split-isochronous transaction descriptors to the plurality of queue heads, and split-isochronous transaction descriptors are supported by the first host controller and the first host controller driver.

Since Wooten does not teach, disclose or suggest all the limitations of Applicant's amended claim 8, as listed above, Applicant's amended claim 8 is not obvious over Wooten in view of no other prior art since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from amended claim 8, namely claims 9-11, would also not be obvious over Wooten in view of no other prior art for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 8-11 and 14 are respectfully requested.

**CONCLUSION**

In view of the foregoing, it is believed that all claims now pending, namely 1, 3-4 and 8-11, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By: 

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on June 8, 2006.

  
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